

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

YU SEN CHEN, individually and on behalf of all other employees similarly situated,

Plaintiff,

-against-

MG WHOLESALE DISTRIBUTION INC., “ANDY” CHEUNG, XIAO MIN YANG,

Defendants.

Docket No.: 16-cv-4439  
(PKC)(RLM)

**NOTICE OF DEFENDANTS’ MOTION FOR SANCTIONS PURSUANT TO 28 U.S.C. § 1927, THE COURT’S INHERENT AUTHORITY, AND FEDERAL RULE OF CIVIL PROCEDURE 11(b)(3)**

PLEASE TAKE NOTICE THAT Defendants, MG WHOLESALE DISTRIBUTION INC., “ANDY” CHEUNG, and XIAO MIN YANG (“Defendants”), will move this Court, before the Honorable Pamela K. Chen, on a date and time to be determined by the Court, for an Order granting Defendants’ Motion for Sanctions against: (1) Plaintiff’s Counsel, Hang & Associates, P.L.L.C. pursuant to 28 U.S.C. § 1927; (2) both Plaintiff, Yu Sen Chen, and his counsel pursuant to the Court’s inherent authority; and (3) both Plaintiff and his counsel pursuant to Federal Rule of Civil Procedure (“Fed. R. Civ. P.”) 11(b)(3). Defendants seek payment for the fees and expenses incurred due to the Plaintiff’s and his counsel’s sanctionable conduct in the amount of, at current, \$95,133.86 pursuant to 28 U.S.C. § 1927 and/or the Court’s inherent authority, or at minimum, at current, \$19,273.54 pursuant to Fed. R. Civ. P. 11(b)(3).<sup>1</sup>

---

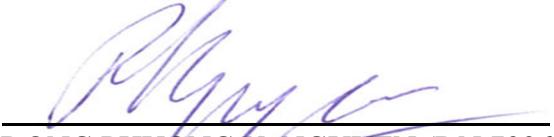
<sup>1</sup> As detailed in the supporting memorandum of law, Defendants respectfully request leave to submit updated billing records and expense reports upon submission of their reply papers to account for fees and expenses incurred while preparing this motion.

In accordance with the Court's Scheduling Order of November 27, 2017, Plaintiff must serve any opposition papers by on or before January 22, 2018, and Defendants must serve any reply papers by on or before February 5, 2018.

Dated: Great Neck, New York  
December 22, 2017

Respectfully submitted,

BORRELLI & ASSOCIATES, P.L.L.C.  
*Attorneys for Defendants*  
1010 Northern Boulevard, Suite 328  
Great Neck, New York 11021  
Tel. (516) 248-5550  
Fax. (516) 248-6027

  
DONG PHUONG V. NGUYEN (DN 7326)  
ALEXANDER T. COLEMAN (AC 8151)  
MICHAEL J. BORRELLI (MB 8533)